

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

MARVELLOUS KEENE, : **DEATH PENALTY CASE**

Petitioner, : **No Scheduled Execution Date**

vs. : Case No. C-1-00-421

BETTY MITCHELL, *et al.*, WARDEN, : JUDGE BECKWITH

Respondents. : MAGISTRATE JUDGE MERZ

AFFIDAVIT OF RAYL L. STEPTER

STATE OF OHIO :

:

COUNTY OF FRANKLIN :

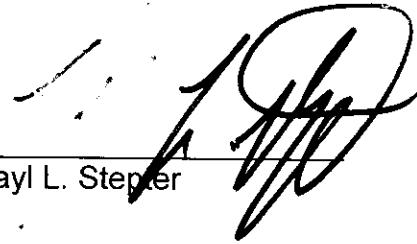
I, Rayl L. Stepter, being first duly sworn, depose and say:

I am competent to testify and have personal knowledge of the matters stated in this Affidavit.

1. I am an attorney licensed to practice law in the State of Ohio. I presently maintain an office located at 111 West Rich Street, Suite 430, Columbus, Ohio 43228.
2. I am co-counsel for Petitioner Marvellous Keene in the action Keene v. Betty Mitchell, Warden, C-1-00-421.
3. I obtained a copy of the trial transcript in the case of State of Ohio v. Weston Lee Howe, Case No. 92 CR 1673 (Montgomery County, 1992) from the Clerk of Court of the Montgomery County Court of Common Pleas. A true and accurate copy of the pertinent part of that transcript is being filed electronically with the Clerk of Court of the U.S. District Court, Southern District of Ohio, Western Division as part of Petitioner's

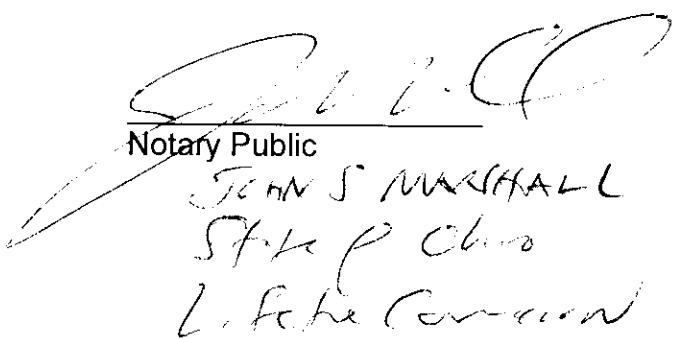
Motion to Expand the Record.

FURTHER AFFIANT SAYETH NAUGHT


Rayl L. Stepler

Subscribed and sworn to before me on this 5th day of October

2004.


Notary Public

John S. MARSHALL

State of Ohio

L. F. the Notary